

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,) 8:07CR3
)
vs.) ORDER
)
CALE ANTHONY BONNER,)
)
Defendant.)

This matter is before the court on the motion for an extension of time by defendant Cale Anthony Bonner (Bonner) (Filing No. 14). Bonner seeks an extension of time until March 22, 2007, in which to file pretrial motions pursuant to paragraph 3 of the progression order (Filing No. 8). Defense counsel represents to the court that counsel for the government has no objection to the extension. Bonner has filed an affidavit wherein Bonner consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act (Filing No. 15). Upon consideration, the motion will be granted.

IT IS ORDERED:

Defendant Bonner' s motion for an extension of time (Filing No. 14) is granted. Defendant Bonner is given until **on or before March 22, 2007**, in which to file pretrial motions pursuant to the progression order (Filing No. 8). The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **February 21, 2007 and March 22, 2007**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 21st day of February, 2007.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge